

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

JASON LAMONTE NICKERSON

v.

CA 15-014 ML

ASHBEL T. WALL

MEMORANDUM AND ORDER

This matter is before the Court on Petitioner's objections to the Report and Recommendation issued by Magistrate Judge Sullivan on July 7, 2015 (Docket #15). Having now considered Petitioner's objections and the Report and Recommendation wherein the Magistrate Judge carefully and thoroughly unravels Petitioner's exhausted and unexhausted claims, this Court adopts the Report and Recommendation in its entirety. The Court, therefore, makes the following orders:

1. Petitioner shall, on or before October 15, 2015, advise this Court as to whether he will voluntarily dismiss his "unexhausted" claims; i.e., Grounds One and Three (pre-trial publicity) and the Ground Two sub-issue identified at pp. 19 and 20 of the Report and Recommendation;
2. If Petitioner fails to comply with this Order, this Court will dismiss the entire petition as a mixed petition;
3. Petitioner's Motion for Judgment on the Pleadings (Docket #8) is DENIED;
4. Petitioner's Motion for Preliminary Injunction (Docket #9) is DENIED.

SO ORDERED:

/s/ Mary M. Lisi
Mary M. Lisi
United States District Judge
September 15, 2015